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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 DERRICK SATCHELL, et al.,

No. C 03-2659 SI; No. 03-2878 SI

9 Plaintiffs,

10 v.

**ORDER GRANTING REQUEST TO  
DESIGNATE ALTSHULER, BERZON,  
NUSSBAUM, RUBIN & DEMAINE AS  
CLASS COUNSEL**

11 FEDEX EXPRESS,

12 Defendant.  
13 \_\_\_\_\_/

14 By letter dated December 15, 2006, James Finberg Esq., currently with class counsel Lieff,  
15 Cabraser, Heimann & Bernstein, LLP, requests that the Court designate an additional firm – the  
16 Altshuler Berzon firm – as class counsel in the above-referenced cases. Mr. Finberg states that the  
17 designation is necessary because as of January 1, 2007, he and Eve Cervantez, Esq., will be leaving Lieff  
18 Cabraser and joining the Altshuler firm. All co-counsel, with the exception of Waukeen McCoy, Esq.,  
19 have agreed to the designation of the Altshuler firm. Defendant has filed a statement of non-opposition  
20 to the designation.

21 Pursuant to Federal Rule of Civil Procedure 23(g), the Court finds that the appointment of the  
22 Altshuler firm as class counsel is in the best interest of the class. Mr. Finberg and Ms. Cervantez have  
23 been integrally involved in the litigation of this complex class action, and their continued representation  
24 is particularly important in light of the fact that trial is imminent. The Court finds it unnecessary to  
25 resolve any disputes between plaintiffs' counsel regarding the co-counsel agreement.

26 **IT IS SO ORDERED.**

27 Dated: December 22, 2006

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SUSAN ILLSTON  
United States District Judge

**United States District Court**

For the Northern District of California

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